



Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbala  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millonig  
Donald J. Featherstone  
Timothy J. Shea, Jr.  
Michael V. Messinger  
Judith U. Kim

Patrick E. Garrett  
Jeffrey T. Helvey  
Heidi L. Kraus  
Eldora L. Ellison  
Thomas C. Fiala  
Albert L. Ferro  
Donald R. Banowitz  
Peter A. Jackman  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincenck P. Capuano  
Brian J. Del Buono  
Virgil Lee Beaton  
Theodore A. Wood  
Elizabeth J. Haanes  
Joseph S. Ostroff  
Frank R. Cottingham  
Rae Lynn P. Guest  
George S. Bardmesser

Daniel A. Klein  
Jason D. Eisenberg  
Michael D. Specht  
Andrea J. Kamage  
Tracy L. Muller  
Jon E. Wright  
LuAnne M. DeSantis  
Ann E. Summerfield  
Aric W. Ledford  
Helene C. Carlson  
Cynthia M. Bouchez  
Timothy A. Doyle  
Gaby L. Longworth  
Lori A. Gordon  
Nicole D. Dretar  
Ted J. Ebersole  
Laura A. Vogel  
Michael J. Mancuso  
Bryan S. Wade

Aaron L. Schwartz  
Michael G. Penn\*  
Shannon A. Carroll\*  
Wesley W. Jones\*  
Matthew E. Kelley\*  
Nicole R. Kramer\*  
Michelle K. Holoubek\*  
Marsha A. Rose\*

**Registered Patent Agents\***  
Karen R. Markowicz  
Nancy J. Leith  
Matthew J. Dowd  
Katrina Yujian Pei Quach  
Bryan L. Skelton  
Robert A. Schwartzman  
Teresa A. Colella  
Victoria S. Rutherford

16531#  
Simon J. Elliott  
Julie A. Heider  
Mita Mukherjee  
Scott M. Woodhouse  
Christopher J. Walsh  
Liliana Di Nola-Baron  
Peter A. Socarras  
Jeffrey Mills

**Of Counsel**  
Kenneth C. Bass III  
Marvin C. Guthrie

\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

October 6, 2005

**WRITER'S DIRECT NUMBER:**  
(202) 772-8619

**INTERNET ADDRESS:**  
SCHWARTZ@SKGF.COM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Application No. 09/927,436; Filed: August 13, 2001  
For: **Highly Homogeneous Molecular Markers for Electrophoresis**  
Inventors: Tadayoni-Rebek *et al.*  
Our Ref: 0942.5300001/RWE/ALS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form PTO-2038;
2. Fifth Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(d);
3. One (1) page of Form PTO/SB/08A citing four (4) documents;
4. Copies of four (4) cited documents;
5. One (1) page of Form PTO/SB/08B citing four (4) documents;
6. Copies of four (4) cited documents; and
7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
October 6, 2005  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Aaron L. Schwartz  
Attorney for Applicants  
Registration No. 48,181

ALS/law  
Enclosures  
451290\_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Tadayoni-Rebek *et al.*

Appl. No.: 09/927,436

Filed: August 13, 2001

For: **Highly Homogeneous Molecular  
Markers for Electrophoresis**

Confirmation No.: 6227

Art Unit: 1653

Examiner: Lukton, David

Atty. Docket: 0942.5300001/RWE/ALS

**Fifth Supplemental Information Disclosure Statement  
Filing Under 37 C.F.R. § 1.97(d)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08A and Form PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Supplemental Information Disclosure Statement filed on November 4, 2004, in connection with the above-captioned application. Copies of the documents are submitted herewith.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO/SB/08A and Form PTO/SB/08B based on information presently available to the undersigned.

However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

Pursuant to 37 C.F.R. § 1.97(e)(1), each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the Examiner initial and return copies of the enclosed Form PTO/SB/08A and Form PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'A. Schwartz', is written over the printed name.

Aaron L. Schwartz  
Attorney for Applicants  
Registration No. 48,181

Date: October 6, 2005

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

447103\_1.DOC

Substitute for form 1449/PTO

**FIFTH SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

***Complete if Known***

Application Number	09/927,436
Filing Date	August 13, 2001
First Named Inventor	Mitra Tadayoni-Rebek
Art Unit	1653
Examiner Name	Lukton, David
Attorney Docket Number	0942.5300001/RWE/ALS

Sheet	1	of	1
-------	---	----	---

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	AN1	EP 0 744 614 A2 EP 0 744 614 A3	11/27/1996 06/10/1998	Laboratory of Molecular Biophotonics		
	AO1	EP 1 001 968 B1	12/22/2004	Gryphon Therapeutics, Inc.		
	AP1	WO 01/75067 A2	10/11/2001	Hyseq, Inc. and Drmanac <i>et al.</i>		
	AL2	WO 02/13848 A1	02/21/2002	Invitrogen Corporation		

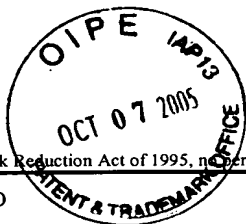
447104 1.DOC

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* Applicant's unique citation designation number (optional). \* See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \* Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \* For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \* Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*



PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/927,436
				Filing Date	August 13, 2001
				First Named Inventor	Mitra Tadayoni-Rebek
				Art Unit	1653
				Examiner Name	Lukton, David
Sheet 1 of 1				Attorney Docket Number	0942.5300001/RWE/ALS

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	AT12	Blattner, F.R., <i>et al.</i> , "The Complete Genome Sequence of <i>Escherichia coli</i> K-12," <i>Science</i> 277:1453-1462, American Association for the Advancement of Science (1997)	
	AR13	EBI Database, Accession No. P75667, Blattner, F.R., <i>et al.</i> , Entry Date 1997	
	AS13	EBI Database, Accession No. ABG28754, Drmanac, R.T., <i>et al.</i> , Entry Date February 2002	
	AT13	<i>The Merck Index, Tenth Edition</i> , Windholz, M., <i>et al.</i> , eds., Merck & Co., Inc., Rahway, N.J., pp. 1001, 1002, and 1420 (1983)	

448382\_1.DOC

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.